

Exhibit 3, Email & response



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Re: CN 21-CV-11649 Rowley v. City of New Bedford

me

To John Markey

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Feb 14 at 11:06 AM

Mr. Markey,

Your synopsis omits my subsequent email that conferral between the veterinarians was not required nor necessary; however it would be extremely time consuming. You expected it would take two weeks (See attached Feb. 11, 2022 email, last paragraph).

But since you and presumably Dr. Lipanovich refuse to cooperate, I have no choice but to file a motion to compel.

Please note that I am willing to accept comments and perform the videorecording post filing, but that time is of the essence.

Regards,

Joyce Rowley

Plaintiff pro se

CN 21-cv-11649

On Monday, February 14, 2022, 09:46:30 AM EST, John Markey <jmarkey@msmw-law.com> wrote:

Ms. Rowley -

Per our initial email exchange on February 10th (copied and pasted below), you stated that your expert would be available one day between 7:00 pm and 8:00 pm for a conference call. I accepted that proposal and invited you to let us know which day your expert wanted to speak with the treating veterinarian. To date, you have not suggested a specific day / time for that call.

We remain open to a call between the expert doctors to review and finalize a protocol for an examination. During that call the parties can schedule a day / time convenient to all concerned to complete the remote examination with your expert's (hopefully synchronous) input and guidance.

If that proposal is not acceptable to you and you feel that a Motion to Compel is required, I understand that you will proceed accordingly and we will take the position that we are willing to cooperate once the experts are able to connect on the proper process / protocol for the examination.

John A. Markey, Jr.

Markey & Walsh, LLC
Office: (508) 993-9711
Cell: (508) 525-0071
imarkey@markeywalshlaw.com

Ms. Rowley -

To be clear, the first call will be to discuss the protocol. Please let me know which day(s) your expert is available for that initial call.

During the initial call, we can schedule a follow up call to review / approve / confirm a written protocol and we can also try to schedule a day / time thereafter for the virtual examination with your expert's remote participation.

Take care -

John A. Markey, Jr.

Markey & Walsh, LLC
Office: (508) 993-9711
Cell: (508) 525-0071
imarkey@markeywalshlaw.com

On Thu, Feb 10, 2022 at 2:57 PM <whos.onfirst2@yahoo.com> wrote:

Mr. Markey,

I contacted Wildlife SOS to see if Dr. Ilayaraja can do a conference call at 7 or 8 pm (EST) which would be 7 or 8 am their time. As I said at the hearing, I would like to do this by next week.

Please let me know when Dr. Erica is available.

Regards,
Joyce Rowley
Plaintiff pro se
CN 21-CV-11649-FDS

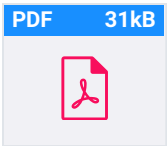
On Mon, Feb 14, 2022 at 9:38 AM <whos.onfirst2@yahoo.com> wrote:

Mr. Markey,

Before I file a motion for relief to get the assessment done, please provide me with the City veterinarian's additions or deletions to the draft protocol by noon.

Thank you,

Joyce Rowley
Plaintiff pro se
CN 21-cv-11649




2.11.21 mark...


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